

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

BRIAN DENKER,

Debtor.

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Chapter 11

Case Number 15-41069-CEC

DECLARATION IN SUPPORT OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY

I, Edward John Denker-Youngs, respectfully represents as follows:

1. I am the estranged spouse of the debtor, Brian Denker (the “Debtor”), and I currently reside at 33 Pennington Drive, Huntington, New York.

2. This declaration is submitted in support of the Motion for Relief from the Automatic Stay (the “Lift Stay Motion”) filed contemporaneously herewith.

3. As more fully set out in the annexed Lift Stay Motion, on August 26, 2014, I commenced a matrimonial action in New York State Supreme Court, Suffolk County (the “State Court”), captioned Edward John Denker-Youngs v. Brian H. Denker-Youngs, Index No. 14-16968 (the “Matrimonial Action”). As a result of the Debtor’s filing, the Matrimonial Action has been stayed.

4. Accordingly, based on the foregoing facts, I am respectfully requesting that this Court enter an Order vacating the automatic stay pursuant to 11 U.S.C. § 362(d)(1) to allow the Matrimonial Action to proceed so that the State Court can make final determinations in connection with the parties’ rights, including, but not limited to, the equitable distribution of property and the nature and extent of support and maintenance to be awarded and granting such other, further and different relief as this Court deems proper.

5. Pursuant to 28 U.S.C. § 1746, I hereby declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 14, 2015
Huntington, New York

s/ Edward John Denker-Youngs
Edward John Denker-Youngs